

ENTERED

August 14, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

HARVEY EUGENE MURPHY, JR.,

Plaintiff.

V.

ESSILORLUXOTTICA USA INC.,
et al.,

Defendants.

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CIVIL ACTION NO. 4:24-CV-00801

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On June 18, 2024, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 22. Judge Edison filed a Memorandum and Recommendation on July 18, 2024, recommending that Plaintiff's Motion to Remand (Dkt. 17) be **GRANTED**. *See* Dkt. 26.

On August 1, 2024, Defendants filed their Objections. *See* Dkt. 29. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to “make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

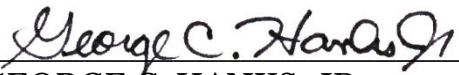
The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's

Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 26) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Motion to Remand (Dkt. 17) is **GRANTED**; and
- (3) This matter is **REMANDED** to the 125th Judicial District Court of Harris County, Texas.

It is so **ORDERED**.

SIGNED at Houston, Texas on August 14, 2024.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE